

U.S. House of Representatives
Committee on the Judiciary
Washington, DC 20515-6216
One Hundred Eleventh Congress

March 26, 2009

BY FACSIMILE AND POST

The Honorable Janet A. Napolitano
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Madam Secretary,

In response to the Administration's recent border violence announcement, I am writing to request a detailed description of your plan to redeploy resources from interior enforcement to the Southwest border. I appreciate the Administration's commitment to addressing border violence, however I am concerned about the lack of detail provided to the public and Congress about your plan.

It is my understanding that the essence of the government's plan is to transfer to the border areas experiencing an increase in drug-related violence additional law enforcement personnel. According to the Department of Homeland Security's press release, the program will cost \$184 million and will not require additional appropriations. The press release also indicates that the program will be funded by realigning resources from less urgent activities, fund balances, and, in some cases, reprogramming of funds.

Beyond the Department of Homeland Security's press release, the Judiciary Committee has not been provided with any additional information regarding the border violence plan. I understand from news reports that both the Department of Justice and Department of Homeland Security will be deploying resources and personnel to the border. The Administration, however, has not specified which law enforcement initiatives will be cut to assist with bolstering border security.

I appreciate your desire to address border violence. However, I am concerned about the effect this redeployment will have on those communities and law enforcement programs from which resources will be pulled. I am particularly concerned that we will see an increase in crime and other immigration-related offenses in the interior of the country as a result of this redeployment.

When enacting a plan that could affect the safety of our communities—and our constituents—the Administration should provide Congress with more than just a press

release. We should be provided with a complete breakdown of the redirected resources for this program including the following (please note that I do not wish to receive identifying information regarding any individual agent or analyst in regard to this request):

- 1) a list of the office or sub-office from which the agent or analyst was transferred;
- 2) the unit from which the agent or analyst was transferred, or in the case of an agent or analyst who was not assigned to a unit, the type of case to which the agent or analyst was last assigned; and
- 3) the new location/unit to which the agent or analyst is or will be assigned.

The materials released Tuesday do not provide details on how your Department will fund this program. Therefore, please provide information about the source of the funds necessary to implement these redeployments. In particular, please identify those accounts or programs that will experience a reduction in funds because they are categorized by your department as "less urgent activities," "fund balances," and any necessary "reprogramming," as well as the amount of funding to be diverted from each program within these categories.

A recent article in the *Wall Street Journal* reports that "competing agencies have refused to work together on the task forces that the administration is bolstering to target the drugs, guns and cash that are fueling fighting among Mexico's drug lords, according to the agency officials." This is a serious issue that complicates our success in stemming the flow of drug-related violence along the border.

How do you intend to rectify this lack of coordination and to de-conflict enforcement efforts among and between the various federal agencies as you pursue your border security initiative? Additionally, what processes have been put in place to ensure that the additional law enforcement resources will work to secure the border against the smuggling of weapons, persons, and any other contraband as additional personnel is deployed to the border?

I support the steps being taken by the Administration in an effort to address the violence threatening our Southwest border communities. However, with hundreds of federal law enforcement officers being relocated to the border, we must ensure that we do not undercut our national security and immigration enforcement responsibilities. The link between border security and immigration enforcement is clear; we cannot succeed in one area if we ignore the other.

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I look forward to your response and to working with you to ensure the safety and security of our communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Lamar Smith". The signature is fluid and cursive, with the first name "Lamar" written in a larger, more prominent script than the last name "Smith".

Lamar Smith
Ranking Member
Committee on the Judiciary